

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION**

JAMES D. JOHNSON, as next friend to  
Olivia Y., et al.

PLAINTIFFS

vs.

CIVIL ACTION NO. 3:04cv251LN

HALEY BARBOUR, as Governor of the  
State of Mississippi, et al.

DEFENDANTS

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**JOINT MOTION FOR FORMAL APPOINTMENT OF GRACE M. LOPES  
AS MONITOR**

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COME NOW, Defendants and Plaintiffs, and would present to this Honorable Court the following:

In the Mississippi Settlement Agreement and Reform Plan approved by this Court on January 4, 2008, Defendants and Plaintiffs agreed that Grace M. Lopes should serve as the Court Monitor in this matter. Grace M. Lopes has been serving as Court Monitor in this matter since the January 4, 2008, order.

The parties request that the Court formally appoint Grace M. Lopes as Court Monitor pursuant to the terms of the Settlement Agreement and Reform Plan, thereby granting her quasi-judicial immunity while she has been and is acting in the scope of her duties as Court Monitor.

This, the 23rd day of July, 2008.

Respectfully submitted,

**HALEY BARBOUR, as Governor of the State of  
Mississippi; DONALD TAYLOR, as Executive Director  
of the Department of Human Services; and**

**RICKIE FELDER as Director of the Division of  
Family and Children's Services**

BY: /s/ Dewitt L. ("Rusty") Fortenberry, Jr.

**OF COUNSEL:**

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**CERTIFICATE OF SERVICE**

I hereby certify that I have this day electronically filed the foregoing with the Clerk of the Court using the ECF system which sent notification of such filing to the following:

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I also certify that I have this day served a copy of the foregoing on the following non-ECF participants by United States Mail, postage prepaid:

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SO CERTIFIED, this the 23rd day of July, 2008.

/s/Dewitt L. ("Rusty") Fortenberry, Jr.